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CYRUS R. VANCE, JR.

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November 9, 2021

VIA EMAIL AND ECF

The Honorable David S. Jones

United States Bankruptcy Court, Southern District of New York

One Bowling Green

New York, NY 10004

Email: jones.chambers@nysb.uscourts.gov

Re: In the Matter of Kossoff PLLC
Case No. 21-10699 (DSJ)

Dear Judge Jones:

As the Court is now aware, Albert Togut, in his capacity as the Chapter 7 Interim Trustee (the "Trustee"), and the New York County District Attorney's Office ("DANY") have been unable to agree on a briefing schedule on the Trustee's motion to compel disclosure of secret grand jury materials. In a letter opposing DANY's request, the Trustee suggests that the amount of time that DANY is requesting is unreasonable, in essence, because DANY should have begun preparing its response before even receiving the Trustee's briefing papers.

For the reasons explained in our initial request to the Court, we continue to believe that an extension to December 21, 2021, or at a minimum December 7, 2021, will give DANY a reasonable and equitable period of time to respond to the complex and sensitive issues raised in the Trustee's motion. We also believe that granting such an extension may ultimately obviate the need for continued litigation on this matter. Such a result would best serve the public interest, as well as the interests of the Trustee and any creditors of Kossoff PLLC. However, because our reasons for believing that the requested extension may lead to such a favorable result involve details of an ongoing criminal investigation, we are constrained from discussing them in public. We therefore respectfully request the opportunity to explain those reasons to the Court in an ex parte conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Catherine McCaw", is written over a horizontal line.

Catherine McCaw

Assistant District Attorney

cc: Togut, Segal & Segal LLP
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